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7 **UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF ARIZONA**
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10 Securities and Exchange Commission,
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12 Plaintiff,

13 vs.

14 Raskob Kambourian Financial Advisors,
15 Ltd.,

16 Defendant.

17 Case No. 4:24-cv-00442-MSA

18
19 **FINAL JUDGMENT AS TO**
20 **DEFENDANT RASKOB**
21 **KAMBOURIAN FINANCIAL**
22 **ADVISORS, LTD.**

23 The Securities and Exchange Commission having filed a Complaint and Defendant
24 Raskob Kambourian Financial Advisors, Ltd. having entered a general appearance;
25 consented to the Court's jurisdiction over Defendant and the subject matter of this action;
26 consented to entry of this Final Judgment without admitting or denying the allegations of the
27 Complaint (except as to jurisdiction); waived findings of fact and conclusions of law; and
28 waived any right to appeal from this Final Judgment:

29 I.

30 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant is
31 permanently restrained and enjoined from violating Section 206(2) of the Investment
32 Advisers Act of 1940 (the "Advisers Act") [15 U.S.C. § 80b-6(2)] while acting as an
33 investment adviser, by the use of the mails or any instrumentality of interstate commerce,

1 directly or indirectly, to engage in any transaction, practice, or course of business which
2 operates as a fraud or deceit upon any client or prospective client.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in
4 Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following
5 who receive actual notice of this Final Judgment by personal service or otherwise:

6 (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in
7 active concert or participation with Defendant or with anyone described in (a).

8 II.

9 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
10 Defendant is permanently restrained and enjoined from violating Section 204(a) of the
11 Advisers Act [15 U.S.C. § 80b-4(a)] and Rule 204-2 thereunder [17 C.F.R. § 275.204-2]
12 while acting as an investment adviser registered or required to be registered under Section
13 203 of the Advisers Act [15 U.S.C. §80b-3], by failing to make and keep true, accurate, and
14 current books and records relating to its investment advisory business, as required under
15 Rule 204-2 [17 C.F.R. § 275.204-2].

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in
17 Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following
18 who receive actual notice of this Final Judgment by personal service or otherwise:

19 (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in
20 active concert or participation with Defendant or with anyone described in (a).

21 III.

22 IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that
23 Defendant is permanently restrained and enjoined from violating Section 204(a) of the
24 Advisers Act [15 U.S.C. § 80b-4(a)] and Rule 204-3 thereunder [17 C.F.R. § 275.204-3]
25 while acting as an investment adviser registered under Section 203 of the Advisers Act [15
26 U.S.C. §80b-3], by failing to timely deliver to each client its current brochure, brochure
27 supplement(s), or summary of material changes to its brochure with an offer to provide its
28 current brochure, as required under Rule 204-3 [17 C.F.R. § 275.204-3].

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise:

(a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

IV.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is permanently restrained and enjoined from violating Section 206(4) of the Advisers Act [15 U.S.C. § 80b-6(4)] and Rule 206(4)-7 thereunder [17 C.F.R. § 275.206(4)-7], by providing investment advice without adopting and implementing written policies and procedures reasonably designed to prevent violations of the Advisers Act and the rules that the Commission has adopted under the Advisers Act.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Final Judgment by personal service or otherwise:

(a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

V.

IT IS HEREBY FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant is liable for disgorgement of \$1,364,513, representing net profits gained as a result of the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$256,068, and a civil penalty in the amount of \$225,000 pursuant to Section 209(e) of the Advisers Act [15 U.S.C. § 80b-9(e)]. Defendant shall satisfy this obligation by paying \$1,845,581 to the Securities and Exchange Commission within 30 days after entry of this Final Judgment.

Defendant may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at

1 <http://www.sec.gov/about/offices/ofm.htm>. Defendant may also pay by certified check,
2 bank cashier's check, or United States postal money order payable to the Securities and
3 Exchange Commission, which shall be delivered or mailed to

4 Enterprise Services Center
5 Accounts Receivable Branch
6 6500 South MacArthur Boulevard
Oklahoma City, OK 73169

7 and shall be accompanied by a letter identifying the case title, civil action number, and name
8 of this Court; Raskob Kambourian Financial Advisors, Ltd. as a defendant in this action;
9 and specifying that payment is made pursuant to this Final Judgment.

10 Defendant shall simultaneously transmit photocopies of evidence of payment and
11 case identifying information to the Commission's counsel in this action. By making this
12 payment, Defendant relinquishes all legal and equitable right, title, and interest in such
13 funds and no part of the funds shall be returned to Defendant.

14 The Commission may enforce the Court's judgment for disgorgement and
15 prejudgment interest by using all collection procedures authorized by law, including, but not
16 limited to, moving for civil contempt at any time after 30 days following entry of this Final
17 Judgment.

18 The Commission may enforce the Court's judgment for penalties by the use of all
19 collection procedures authorized by law, including the Federal Debt Collection Procedures
20 Act, 28 U.S.C. § 3001 et seq., and moving for civil contempt for the violation of any Court
21 orders issued in this action. Defendant shall pay post judgment interest on any amounts due
22 after 30 days of the entry of this Final Judgment pursuant to 28 U.S.C. § 1961. The
23 Commission shall hold the funds, together with any interest and income earned thereon
24 (collectively, the "Fund"), pending further order of the Court.

25 The Commission may propose a plan to distribute the Fund subject to the Court's
26 approval. Such a plan may provide that the Fund shall be distributed pursuant to the Fair
27 Fund provisions of Section 308(a) of the Sarbanes-Oxley Act of 2002. The Court shall
28 retain jurisdiction over the administration of any distribution of the Fund and the Fund may

only be disbursed pursuant to an Order of the Court.

Regardless of whether any such Fair Fund distribution is made, amounts ordered to be paid as civil penalties pursuant to this Judgment shall be treated as penalties paid to the government for all purposes, including all tax purposes. To preserve the deterrent effect of the civil penalty, Defendant shall not, after offset or reduction of any award of compensatory damages in any Related Investor Action based on Defendant’s payment of disgorgement in this action, argue that it is entitled to, nor shall it further benefit by, offset or reduction of such compensatory damages award by the amount of any part of Defendant’s payment of a civil penalty in this action (“Penalty Offset”). If the court in any Related Investor Action grants such a Penalty Offset, Defendant shall, within 30 days after entry of a final order granting the Penalty Offset, notify the Commission’s counsel in this action and pay the amount of the Penalty Offset to the United States Treasury or to a Fair Fund, as the Commission directs. Such a payment shall not be deemed an additional civil penalty and shall not be deemed to change the amount of the civil penalty imposed in this Judgment. For purposes of this paragraph, a “Related Investor Action” means a private damages action brought against Defendant by or on behalf of one or more investors based on substantially the same facts as alleged in the Complaint in this action.

VI.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that within 3 days after being served with a copy of this Final Judgment, the Hamburger Law Firm, LLC (“Hamburger”) shall transfer the entire balance of any and all moneys received from Defendant Raskob Kambourian Financial Advisors, Ltd. or held for the benefit of Raskob Kambourian Financial Advisors, Ltd. to the Commission. Hamburger may transmit payment electronically to the Commission, which will provide detailed ACH transfer/Fedwire instructions upon request. Payment may also be made directly from a bank account via Pay.gov through the SEC website at <http://www.sec.gov/about/offices/ofm.htm>. Hamburger also may transfer these funds by certified check, bank cashier’s check, or United States postal money order payable to the Securities and Exchange Commission, which shall

1 be delivered or mailed to

2 Enterprise Services Center
3 Accounts Receivable Branch
4 6500 South MacArthur Boulevard
Oklahoma City, OK 73169

5 and shall be accompanied by a letter identifying the case title, civil action number, and name
6 of this Court; and specifying that payment is made pursuant to this Final Judgment.

7 VII.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Consent is
9 incorporated herein with the same force and effect as if fully set forth herein, and that
10 Defendant shall comply with all of the undertakings and agreements set forth therein.

11 VIII.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall
13 retain jurisdiction of this matter for the purposes of enforcing the terms of this Final
14 Judgment.

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16 Dated: _____, _____

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18 UNITED STATES DISTRICT JUDGE

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